

7. That your Respondent denies the matters and facts set forth and alleged in the ninth paragraph of said bill, and further answering said paragraph, your Respondent says that the Plaintiff cannot claim title under two theories, but should be required to elected upon what ground it claims.

And further answering said paragraph, your Respondent says that neither of the theories set up in said paragraph represents a proper construction of the Will of John Loats, deceased, but that the proper construction is that the Plaintiff was the owner of said properties as long as it carried out the terms of the trust created by the Will of the testator, subject to being divested upon its failure to do as the Will provided.

8. That your Respondent denies the allegations contained in the tenth paragraph of said bill and further answering the same, says that the title to said properties now vest in him and the other heirs at law of said testator.

9. Answering the eleventh paragraph of said bill, your Respondent admits the matters and facts therein alleged.

Having fully answered said bill of complaint, your Respondent prays that he may be hence dismissed with his reasonable costs in this behalf incurred.

AND, as in duty bound, etc.

LeRoy W. Preston
Solicitor for Respondent

Elmer C. Sterner
Elmer C. Sterner,
Respondent

STATE OF COLORADO, Arapahoe, to wit:

I hereby certify that on this 30th day of December, 1957, before me, the subscriber, a Justice of the Peace ~~Notary Public~~ of the State of Colorado, in and for Said County, personally appeared ELMER C. STERNER, Respondent herein, and made oath in due form of law that the matters and facts contained in the foregoing Answer are true as therein stated to the best of his knowledge and belief.

Witness my hand and Notarial Seal.

My ~~commission~~ ^{Term} expires: Jan-9-1959.

W. F. Holland
W. F. HOLLAND, ~~Notary Public~~
4111 So. Elati - Englewood, Colo